

# Memorandum

Date: JUN 30 2010

To: Greg Baugh  
Parole Agent III  
Inland Parole

Subject: **REVIEW OF DISABILITY ACCOMMODATIONS AND EFFECTIVE COMMUNICATION AT THE INLAND PAROLE OFFICE**

Attached is the Final Report of Findings resulting from the review of Disability Accommodations and Effective Communication (CN-418) as it relates to the L.H. Injunction, at the Inland Parole Office, conducted during the period of March 22 through March 25, 2010, by the Office of Audits and Compliance (OAC), Compliance/Peer Review Branch. A complete description of each issue area is contained within the narrative portion of the report.

The report includes the corrective action plan (CAP), which was received on June 24, 2010, to correct the identified deficiencies and concerns. The CAP sufficiently addressed the correction of cited deficiencies.

If you should have any questions or need additional information regarding the contents of this report, please contact Eric Fransham, Parole Agent III, OAC, at (916) 255-2747.



GEORGE VALENCIA  
Assistant Secretary (A)  
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## Attachments

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COMPLIANCE REVIEW  
INLAND PAROLE

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Prepared by:

California Department of Corrections and Rehabilitation  
Office of Audits and Compliance

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March 2010

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## DISABILITY ACCOMMODATIONS AND EFFECTIVE COMMUNICATION

Disability Accommodations and Effective Communication (CN-418)

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Office of Audits and Compliance Staff  
Eric Fransham, Parole Agent III

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## EXECUTIVE SUMMARY

The Office of Audits and Compliance, Compliance/Peer Review Branch (CPRB) utilized the Disability Accommodations and Effective Communication (CN-418), dated September 15, 2009 and the Stipulated Permanent Injunction to determine if the Division of Juvenile Parole Operations (DJPO), Inland Parole is in compliance with the policies that identify Disability Accommodations and Effective Communication during the Parole Revocation process as it pertains to the L.H. Injunction.

The review period for the Inland Parole Office regarding Disability Accommodations and Effective Communication was September 3, 2009 through November 20, 2009 with fieldwork conducted from March 22, 2010 through March 25, 2010.

The CPRB concludes that the Inland Parole Office is in partial compliance (PC) with the following:

- Item 21.2.05, ensuring parole violation forms are available in large print in English or Spanish.
- Item 22.5.01, ensuring all boxes in Section II are checked on the Request for Accommodations and Assistance form (DJJ 3.260).
- Item 22.5.02, ensuring all boxes in Section III are checked on the DJJ 3.260.

The CPRB concludes that the Inland Parole Office is in substantial compliance (SC) with the following items: 20.1.01-10.1.03, 21.2.01-21.2.04, 22.3.01-22.3.03, 22.4.02-22.4.06, 22.6.01, and 22.6.02; however, there were deficiencies identified with the following:

- Item 22.3.01, ensuring the Disability/Effective Communication Summary Report (DJJ 3.299) for each revocation packet is completed and done before the serving of notice.
- Item 22.4.01, ensuring parole violators check all boxes on the Notice of Parole Revocation Rights and Acknowledgement form (DJJ 3.270).

The findings are as follows:

- Item 21.2.05, parole violation forms are not available in large print in English or Spanish. All forms were not provided in Spanish, and at the sixth grade reading level.
- Item 22.5.01, parole violators did not check any of the boxes in Section II of DJJ 3.260. Of the 16 revocation packets reviewed, 2 packets did not have any of the boxes checked by the parole violator.

- Item 22.5.02, staff did not check any of the boxes in Section III of DJJ 3.260. Of the 16 revocation packets reviewed, 3 packets did not have any of the boxes checked by staff.
- Item 22.3.01, of the 16 revocation packets reviewed, staff did not complete a new DJJ 3.299 for 1 revocation packet and did not complete the DJJ 3.299 in a timely manner for another packet.
- Item 22.4.01, parole violators did not check any of the boxes on DJJ 3.270. Of the 16 revocation packets reviewed, 1 packet did not have any of the boxes checked by the parole violator.

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## BACKGROUND

On September 13, 2006, an action was filed on behalf of the Plaintiffs and the class they represent, challenging the constitutionality of the Juvenile Parole Revocation process conducted by the Division of Juvenile Justice (DJJ), DJPO, and the California Department of Corrections and Rehabilitation (CDCR). The Plaintiffs claim that the Defendants: the State of California, CDCR, and its divisions, were denying claimants their Fourteenth Amendment rights to due process, counsel, and equal protection in the granting, extending, and/or revoking of parole.

The Plaintiffs in the case of *L.H. v. Schwarzenegger* are a class of over 4,000 juvenile parolees under the jurisdiction of the DJJ who are either actively on parole or may be serving a revocation term.

On September 19, 2007, the Court granted the Plaintiffs' Motion for Partial Summary Judgment. The Court stated that the Juvenile Parole Revocation proceedings violated due process by failing to provide a Probable Cause Hearing shortly after placement of the parole hold and that juveniles are generally entitled to greater protections as a result of their lack of education, experience, and skills.

On January 29, 2008, the Court held that the Defendants failure to appoint Counsel for all juvenile parolees under *Gagnon v. Scarpelli*, 411 U.S. 778 (1973) violated the due process rights of the Plaintiff class.

On June 3, 2008, the Court ordered that the Defendants develop standards, guidelines, and training for effective assistance of state-appointed Counsel in the Revocation Process that would include standards for panel administrations, training, continuing education, quality assurance, independence, statewide oversight, and individual representation.

The Stipulated Order for Permanent Injunctive Relief ("L.H. Injunction") that forms the basis for all policies and procedures, monitoring, and self-auditing efforts was approved by the court on October 7, 2008

The Stipulated Order for Permanent Injunctive Relief states that the Defendants shall develop an appropriate compliance and self-monitoring team to ensure compliance with the terms of the injunction, and compliance with the policies and procedures developed pursuant to the injunction.

The CPRB will be reviewing specific items that make up the L.H. Injunction. The items that have been selected for review are based on risk to the Department. The review will be evaluated using a compliance rating system.

Each item will be evaluated by whether it is in SC, 85 percent and above, PC, 84 percent to 50 percent, or noncompliance (NC), 49 percent and below. Items that result in a yes or no compliance level will be rated as SC or NC. Items that cannot be rated will be categorized as not ratable (NR). Due to the diversity and occasional abstract content of the items being reviewed, a numeric rating system cannot always be utilized. As a result, a narrative rating system will be used to evaluate the level of compliance. All deficiencies or findings will require a corrective action plan, regardless of compliance rating.

The specific objectives of the review were to determine whether:

DJPO is in compliance with DJJ's policies pertaining to Disability Accommodations and Effective Communication in the Parole Revocation process, the right to subpoena witnesses and present evidence, and the right to question witnesses through appointed attorneys and appeal to the DJPO.

The CPRB determined whether the objectives were met by reviewing:

- Disability Accommodations and Effective Communication (CN-418), dated September 15, 2009;
- The L.H. Injunction that relates to Disability Accommodations and Effective Communication;
- The Office of the Special Master's Quarterly Reports on DJPO;
- L.H. Injunction sections pertaining to information obtained from interviews with Counsel, the DJPO, Juvenile Parole Board (JPB) staff, Hearing Officers, parolees, relevant documents, appeal logs, the Regional Access Database, Parole Services Manual, and JPB agendas;
- Sample questionnaires and information obtained from field testing;
- The training agenda and attendance records;
- DJPO data, Juvenile Revocation Scheduling and Tracking System (JSTS), Board Orders data; and
- DJJ 3.299.
- DJJ 3.270.
- DJJ 3.260.



## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
	21.2.05	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the ADA Coordinators have parole violation process forms available in:</p> <p style="padding-left: 40px;">A. Large print;</p> <p style="padding-left: 40px;">B. Spanish; and</p> <p style="padding-left: 40px;">C. Simplified to a sixth grade reading level?</p> <p>In addition, are these alternative format forms available to the parole agents in the field?</p> <p><b>Methodology:</b></p> <p>Interview ADA Coordinators.</p> <p>Review equipment and equipment log.</p>		X			<p><b>Partial Compliance</b></p> <p><b>Finding 1:</b></p> <p>Parole violation forms were not available in large print in English or Spanish. Not all of the forms are completed in Spanish, and at the sixth grade reading level for the parole violation process.</p> <p><b>Cause:</b></p> <p>All of the forms have not been completed at the departmental level for the parole violation process.</p>	1. Central Office completes all parole violation forms in large print and at the sixth grade reading level in English and Spanish.	

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
		<b>Criteria:</b>  CN-418 in reference to page 12, Section III, Item E2, 6th bullet.  Stipulated Permanent Injunction, page 16, #55.							
	22.5.01	<b>Item:</b>  Parolee's participation  <b>Question:</b>  Is the parolee/parole violator completing Section II of the Request for Accommodation and Assistance form in order to self-identify their need for accommodation and/or assistance or indicate that no assistance is required?		X			<b>Partial Compliance</b>  <b>Finding 2:</b>  Parole violators did not check any of the boxes in Section II on DJJ 3.260. Of the 16 revocation packets reviewed, 2 packets did not have any of the boxes checked by the parole violator.  <b>Cause:</b>  Staff is not thoroughly reviewing the DJJ 3.260.	1. Ensure staff reviews the DJJ 3.260 before the revocation packet is forwarded.	Parole violators did sign each form.

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
		<b>Methodology:</b>  Review 10 percent or a healthy sample of the DJJ 3.260, Section II.  <b>Criteria:</b>  CN-418 in reference to page 11, Section III, Item D3.							
	22.5.02	<b>Item:</b>  Parolee's participation  <b>Question:</b>  Did the parole agent provide assistance if the parolee/parole violator was unable to complete Section II of the Request for Accommodation and Assistance form and document such assistance in Section III of the form?		X			<b>Partial Compliance</b>  <b>Finding 3:</b>  Staff did not check any of the boxes in Section III on the DJJ 3.260. Of the 16 revocation packets reviewed, 3 packets did not have any of the boxes checked by staff.  <b>Cause:</b>  Staff is not thoroughly reviewing the DJJ 3.260.	1. Ensure staff checks all of the boxes in Section III of DJJ 3.260.	Staff did sign each form.

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
		<b>Methodology:</b>  Review 10 percent or a healthy sample of the DJJ 3.260, Section III.  <b>Criteria:</b>  CN-418 in reference to page 11, Section III, Item D4.							
	22.3.01	<b>Item:</b>  Preliminary identification of ADA needs  <b>Question:</b>  Is the parole agent reviewing the field file and available electronic databases to identify the parolee/parole violators need for accommodations or effective communication prior to serving the notice of rights and charges?	X				<b>Substantial Compliance</b>  <b>Finding 4:</b>  Of the 16 revocation packets reviewed, staff did not complete a new DJJ 3.299 for 1 revocation packet, and did not complete the DJJ 3.299 in a timely manner for another packet.  <b>Cause:</b>  One revocation packet utilized the initial DJJ 3.299 and not a new one for the revocation packet. In	1. Train staff to fill out the DJJ 3.299 correctly.  2. Ensure the DJJ 3.299 is filled out prior to serving the notice of rights and charges.	

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
		<p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of the field files.</p> <p>Review the Disability/Effective Communication File.</p> <p>Review 10 percent or a healthy sample of the tracking log (DJJ 3.230).</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to pages 8-9, Section III, Item B1-B3.</p>					a second revocation packet, the DJJ 3.299 was completed after the serving of notice.		

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR	Findings	Recommendations	Reviewer's Comments
22.2	22.4.01	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>Are parolees/parole violators notified of their right to reasonable accommodations and effective communication assistance for their revocation proceedings?</p> <p><b>Methodology:</b></p> <p>Review DJJ 3.260.</p> <p>Review the DJJ 3.270 and Notice of Revocation Extension Rights and Acknowledgement form (DJJ 3.263).</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 10, Section III, Item C4, a&amp;b.</p>	X				<p><b>Substantial Compliance</b></p> <p><b>Finding 5:</b></p> <p>Parole violators did not check any of the boxes on DJJ 3.270. Of the 16 revocation packets reviewed, 1 packet did not have any of the boxes checked by the parole violator.</p> <p><b>Cause:</b></p> <p>Staff is not thoroughly reviewing the DJJ 3.270 when utilizing the form.</p>	<p>1. Train parole staff to ensure each section of the DJJ 3.270 is completed by the parolee.</p>	The parole violators did sign each form.

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
20	20.1.01	<p><b>Item:</b></p> <p>Training</p> <p><b>Question:</b></p> <p>Is training pertaining to Title II of the ADA compliance and disability/effective communication awareness being provided to all <b>new</b> DJPO personnel who have direct or supervisory responsibility for communicating with or making decisions affecting parolees in connection with revocation proceedings, including but not limited to, ADA Coordinators, parole agents, and supervisors?</p> <p><b>Methodology:</b></p> <p>Review DJPO annual training attendance records.</p> <p>Review training materials.</p> <p>Interview DJPO staff.</p> <p>Review DJPO Coordinator training records.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 4, Training Section.</p> <p>Stipulated Permanent Injunction, page 16, #56.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	20.1.02	<p><b>Item:</b></p> <p>Training</p> <p><b>Question:</b></p> <p>Is annual refresher training pertaining to Title II of the ADA compliance and disability/effective communication awareness being provided to <b>all</b> DJPO personnel who have direct or supervisory responsibility for communicating with or making decisions affecting parolees in connection with revocation proceedings, including but not limited to, ADA Coordinators and the Parole Agent's supervisor?</p> <p><b>Methodology:</b></p> <p>Review DJPO annual training attendance records.</p> <p>Review training materials.</p> <p>Interview DJPO staff.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 4, Training Section.</p> <p>Stipulated Permanent Injunction, page 16, #56.</p>	X			



## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	20.1.03 (new item)	<p><b>Item:</b></p> <p>Training</p> <p><b>Question:</b></p> <p>Did the training include Title II of the ADA and methods for identifying whether a parolee/parole violator adequately understands verbal and written communication and/or may need disability accommodation?</p> <p><b>Methodology:</b></p> <p>Review ADA training agenda and materials.</p> <p>Review Title II of the ADA.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 4, Training Section.</p> <p>Stipulated Permanent Injunction, page 16, #56, line 22.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
21	21.2.01	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the field parole offices have the following:</p> <ul style="list-style-type: none"> <li>A. Assistive listening devices;</li> <li>B. Magnifying devices; and</li> <li>C. Dual-handset telephones?</li> </ul> <p><b>Methodology:</b></p> <p>Interview field parole agents.</p> <p>Review equipment and equipment log.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to pages 9-10, Section III, Item B9.</p> <p>Stipulated Permanent Injunction, pages 14-15, #48.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	21.2.01 a (new item)	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the field parole agents have assigned ADA Kits?</p> <p><b>Methodology:</b></p> <p>Interview field parole agents.</p> <p>Review equipment log.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to pages 9-10, Section III, Item B9.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	21.2.02	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the ADA Coordinators maintain a list of sources of auxiliary aids that can be made available upon request?</p> <p><b>Methodology:</b></p> <p>Interview ADA Coordinators.</p> <p>Review equipment log.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to Section III, Item E2, 3rd bullet, page 12.</p> <p>Stipulated Permanent Injunction #48, page 14, #52, #53, and #55.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	21.2.02 a (new item)	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Does the ADA Coordinator have access to the Scanning and Reading Appliance?</p> <p><b>Methodology:</b></p> <p>Interview ADA Coordinator.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 12, Section III, Item E2, 2nd bullet.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	21.2.03	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the ADA Coordinators track the location of loaned auxiliary aids and/or equipment?</p> <p><b>Methodology:</b></p> <p>Interview ADA Coordinators.</p> <p>Review equipment log.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 12, Section II, Item E2, 4th bullet.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	21.2.04	<p><b>Item:</b></p> <p>Equipment</p> <p><b>Question:</b></p> <p>Do the ADA Coordinators ensure that the equipment is tested regularly and it is in operable condition to avoid postponements of parole proceedings due to maintenance or repairs of equipment?</p> <p><b>Methodology:</b></p> <p>Interview ADA Coordinators.</p> <p>Review equipment log.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 12, Section III, Item E2, 5th bullet.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
22	22.3.02	<p><b>Item:</b></p> <p>Preliminary identification of ADA needs</p> <p><b>Question:</b></p> <p>Is the parole agent documenting any disabilities, mental health concerns, mental/psychological disorders, literacy barriers, language barriers, learning disabilities, and physical disabilities in Section I of the DJJ 3.260?</p> <p><b>Methodology:</b></p> <p>Review the field file.</p> <p>Review JSTS.</p> <p>Review 10 percent of DJJ 3.299.</p> <p>Review 10 percent of DJJ 3.260, Section I.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 9, Section III, Item B5.</p>	X			



## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.3.03	<p><b>Item:</b></p> <p>Preliminary identification of ADA needs</p> <p><b>Question:</b></p> <p>Is the parole agent requesting alternative auxiliary devices or specified services if the accommodation/assistance identified in the file review is not available?</p> <p><b>Methodology:</b></p> <p>Review field file.</p> <p>Review DJJ 3.260, Section III, with the parolee's signature.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 9, Section III, Item B6.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.4.02	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>Did the parole agent notify the parolee/parole violator of their right to grieve and/or appeal a decision regarding accommodations and assistance?</p> <p><b>Methodology:</b></p> <p>Review DJJ 3.260.</p> <p>Review 10 percent or a healthy sample of DJJ 3.270 and DJJ 3.263.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to Section III, Item C4c, page 10.</p> <p>CN-418 in reference to Section III, Item D7, 3rd bullet, page 12.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.4.03	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>Is the parole agent allowing the parolee/parole violator the opportunity to self-identify request reasonable accommodations and/or effective communication assistance via DJJ 3.260?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of DJJ 3.260, Section II.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 11, Section III, Item D3.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.4.04	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>Is the parole agent documenting the form of effective communication that was used and whether the parolee/parole violator appeared to understand in Section III of DJJ 3.260?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of DJJ 3.260, Section III.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 11, Section III, Item C4g.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.4.05	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>If the parolee/parole violator is having difficulty understanding, is the parole agent assessing the need for alternative methods of communication and is the parole agent:</p> <p style="padding-left: 40px;">A. Checking the box, “Appears to Have Difficulty Understanding;” and</p> <p style="padding-left: 40px;">B. Checking the box, “Effective Communication Method Used” and writing-in any methods used as well as observations that are pertinent?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of DJJ 3.260, Section III.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 11, Section III, Item C4g.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.4.06	<p><b>Item:</b></p> <p>Serving notice of rights</p> <p><b>Question:</b></p> <p>If the parole agent becomes aware of accommodation and/or effective communication needs during the notice of rights and charges, is the parole agent providing the necessary accommodations/assistance before resuming the notice process?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of DJJ 3.260, Section III.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 11, Section III, Item C4h.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.6.01	<p><b>Item:</b></p> <p>Final documentation</p> <p><b>Question:</b></p> <p>Did the parolee/parole violator and the parole agent sign and date the appropriate sections of DJJ 3.260?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of DJJ 3.260.</p> <p>Check signatures and dates on DJJ 3.260.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 12, Section III, Item D7, 1st bullet.</p>	X			

## CPRB Remedial Site Compliance Report

Section	Item	Auditing Method	SC	PC	NC	NR
	22.6.02	<p><b>Item:</b></p> <p>Final documentation</p> <p><b>Question:</b></p> <p>Did the parole agent include a copy of the DJJ 3.260 (Sections I through III completed) in the Revocation/Revocation Extension packet sent to JPB?</p> <p><b>Methodology:</b></p> <p>Review 10 percent or a healthy sample of the scanned packet in JSTS.</p> <p>Review DJJ 3.260.</p> <p>Verify the handwritten DJJ 3.260 with the parolee's signature is identical to the version in JSTS.</p> <p><b>Criteria:</b></p> <p>CN-418 in reference to page 12, Section III, Item D8.</p>	X			



## **Review of Disability Accommodations and Effective Communication**

### **INLAND PAROLE OFFICE**

#### **GLOSSARY**

<b>ADA</b>	Americans with Disabilities Act
<b>CDCR</b>	California Department of Corrections and Rehabilitation
<b>CPRB</b>	Compliance/Peer Review Branch
<b>DJJ</b>	Division of Juvenile Justice
<b>DJJ 3.260</b>	Request for Accommodations and Assistance form
<b>DJJ 3.263</b>	Notice of Revocation Extension Rights and Acknowledgement form
<b>DJJ 3.270</b>	Notice of Parole Revocation Rights and Acknowledgement form
<b>DJJ 3.299</b>	Disability/Effective Communication Summary Report
<b>DJPO</b>	Division of Juvenile Parole Operations
<b>JPB</b>	Juvenile Parole Board
<b>JSTS</b>	Juvenile Revocation Scheduling and Tracking System
<b>NC</b>	Non Compliance
<b>NR</b>	Not Ratable
<b>PC</b>	Partial Compliance
<b>SC</b>	Substantial Compliance

# DOCUMENT DISCLAIMER

The Office of Audits and Compliance (OAC) Adult and Juvenile Peer Reviews are a coordinated effort to include: The Office of Correctional Safety; Office of Court Compliance; Classification Services Unit; Case Records Administration; Inmate Appeals Branch; Division of Facilities Management; and Enterprise Information Services.

OAC is not responsible for follow-up reviews in the following areas: Office of Correctional Safety; Office of Court Compliance; Classification Services Unit; Case Records Administration; Inmate Appeals Branch; Division of Facilities Management; and Enterprise Information Services' Information Security Office.

OAC only conducts follow-up reviews in our areas of responsibility. This responsibility includes Business Services, Education, Administrative Segregation Due Process and Security and Escape Prevention.

Follow-up reviews conducted by OAC are scheduled as follows:

- If adult institutions/prisons/facilities score below 90 percent in Security and Escape Prevention and in Education, a six month follow-up is scheduled.
- If adult institutions/prisons/facilities score below 85 percent in Administrative Segregation Due Process, a six month follow-up is scheduled.
- The Business Services section schedules a follow-up based on the number of findings at the institution/prison/facility.

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**Finding 1:** Parole violation forms were not available in large print in English or Spanish. Not all of the forms are completed in Spanish, and at the sixth grade reading level for the parole violation process.

The Office of Audits and Compliance recommends that the Inland Parole Office take the following actions:

CPRB Item	Item	Recommendations/ Description	Action Required By Whom	Proposed Action Plan	Date To Be Completed	Current Status	Comments/POP *	Follow-up Review (To be completed by CPRB)
1.1	21.2.05	Central Office completes all parole violation forms in large print and at the sixth grade reading level in English and Spanish.	JPB and DJPO LH Coordinators	<div>1. Develop the English version of the violation forms in regular print and meet the 6-grade reading level requirement.</div> <div>2. Develop the English version of the violation forms in large print and meet the 6-grade reading level for DJPO's distribution.</div> <div>3. Develop the Spanish version of the violation forms in regular print and meet the 6-grade reading level requirement for DJPO's distribution.</div> <div>4. Develop the Spanish version of the violation forms in large print and meet the 6-grade reading level for DJPO's distribution.</div>	<div>06/01/10</div> <div>08/01/10</div> <div>08/01/10</div> <div>08/01/10</div>	<div>Complete</div> <div>Incomplete</div> <div>Incomplete</div> <div>Incomplete</div>	<div>Parole Violation Forms</div> <div>Parole Violation Forms. Forms have been completed and are pending plaintiff's return and selection of font type.</div> <div>Parole Violation Forms. Forms have been completed and are pending approval for distribution.</div> <div>Parole Violation Forms. Forms have been completed and are pending plaintiff's return and selection of font type.</div>	

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Finding 2: Parole violators did not check any of the boxes in Section II on DJJ 3.260.

The Office of Audits and Compliance recommends that the Inland Parole Office take the following actions:								
CPRB Item	Item	Recommendations/ Description	Action Required By Whom	Proposed Action Plan	Date To Be Completed	Current Status	Comments/POP *	Follow-up Review (To be completed by CPRB)
2.1	22.5.01	Ensure staff reviews the DJJ 3.260 before the revocation packet is forwarded.	Director of Juvenile Parole	1. Distribute a reminder memorandum to notify Parole Staff to ensure the DJJ 3.260 form is reviewed with the parolee and that all applicable boxes are checked.	07/30/10	Incomplete	Memorandum	
			DJPO LH Coordinator	1. Modify the Verifications Packet Content Checklist to add a section acknowledging and verifying that all forms have been reviewed prior to forwarding the revocation packet.	09/30/10	Incomplete	Verifications Packet Content Checklist	
				2. Revise LH Refresher Training curriculum to include this information.	10/1/10	Incomplete	Training curriculum	

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**Finding 3: Staff did not check any of the boxes in Section III on the DJJ 3.260. Of the 16 revocation packets reviewed, 3 packets did not have any of the boxes checked by staff.**

The Office of Audits and Compliance recommends that the Inland Parole Office take the following actions:								
CPRB Item	Item	Recommendations/ Description	Action Required By Whom	Proposed Action Plan	Date To Be Completed	Current Status	Comments/POP *	Follow-up Review (To be completed by CPRB)
3.1	22.5.02	Ensure staff checks all of the boxes in Section III of DJJ 3.260.	Director of Juvenile Parole	1. DJPO shall distribute a reminder memorandum to notify Parole Staff to ensure that Section III of the DJJ 3.260 form is reviewed with the parolee and that all applicable boxes are checked.	07/30/10	Incomplete	Memorandum	
			DJPO LH Coordinator	1. Modify the Verifications Packet Content Checklist to add a section acknowledging and verifying that all forms have been reviewed prior to forwarding the revocation packet.	09/30/10	Incomplete	Verifications Packet Content Checklist	
				2. Revise LH Refresher Training curriculum to include this information.	10/1/10	Incomplete	Training curriculum	

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**Finding 4:** Of the 16 revocation packets reviewed, staff did not complete a new DJJ 3.299 for 1 revocation packet, and did not complete the DJJ 3.299 in a timely manner for another packet.

The Office of Audits and Compliance recommends that the Inland Parole Office take the following actions:								
CPRB Item	Item	Recommendations/ Description	Action Required By Whom	Proposed Action Plan	Date To Be Completed	Current Status	Comments/POP *	Follow-up Review (To be completed by CPRB)
4.1	22.3.01	Train staff to fill out the DJJ 3.299 correctly.	Director of Juvenile Parole	1. Distribute a reminder memorandum to notify Parole Staff to ensure the DJJ 3.299 form is filled out, reviewed and completed correctly.	07/30/10	Incomplete	Memorandum	
			DJPO LH Coordinator	1. Revise LH Refresher Training curriculum to include this information.	10/1/10	Incomplete	Training curriculum	
4.2	22.3.01	Ensure the DJJ 3.299 is filled out prior to serving the notice of rights and charges.	Director of Juvenile Parole	1. DJPO shall distribute a reminder memorandum to notify Parole Staff to ensure the DJJ 3.299 form is filled out prior to serving the Notice of Rights and Charges form.	07/30/10	Incomplete	Memorandum	
			DJPO LH Coordinator	1. Modify the Verifications Packet Content Checklist to add a section acknowledging and verifying that all forms have been reviewed prior to forwarding the revocation packet.	09/30/10	Incomplete	Verifications Packet Content Checklist	
				2. Revise LH Refresher Training curriculum to include this information.	10/1/10	Incomplete	Training curriculum	

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**Finding 5:** Parole violators did not check any of the boxes on DJJ 3.270. Of the 16 revocation packets reviewed, 1 packet did not have any of the boxes checked by the parole violator.

The Office of Audits and Compliance recommends that the Inland Parole Office take the following actions:								
CPRB Item	Item	Recommendations/ Description	Action Required By Whom	Proposed Action Plan	Date To Be Completed	Current Status	Comments/POP *	Follow-up Review (To be completed by CPRB)
5.1	22.4.01	Train parole staff to ensure each section of the DJJ 3.270 is completed by the parolee.	Director of Juvenile Parole	1. DJPO shall distribute a reminder memorandum to notify Parole Staff to ensure the DJJ 3.270 form is reviewed and completed by the parolee.	07/30/10	Incomplete	Memorandum	
			DJPO LH Coordinator	1. Revise LH Refresher Training curriculum to include this information.	10/1/10	Incomplete	Training curriculum Incomplete	